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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,680	02/25/2002	John Elliot	USP1042A-JE	2120

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EXAMINER
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THAI, CANG G

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/081,680	ELLIOT, JOHN	
	<b>Examiner</b>	<b>Art Unit</b>	
	Cang G. Thai	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 2/25/2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All \* b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

2. Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, recites "Internet". The preamble mentions the term "Internet", which normally means "an electronic communication network that connects computer networks and organizational computer facilities around the world", but there is no step of "computer networks" in the system. It appears that they should be related, but no positive language showing the relationship has been shown.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent No. 6,564,380 (MURPHY).

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As for claim 1, MURPHY discloses a process of accessing live activities and events through Internet, comprising the steps of:

(a) capturing at least a live action event having at least one participant carrying at least a video camera supported on an eye level position of said participant for capturing said live action event from a point of view of said participant {Column 3, Lines 27-30, wherein this reads over "a plurality of video feeds generated from respective video cameras located on-site at a plurality of a designated local propagation server"};

(b) uploading said live action event to a central control site through Internet {Column 3, Lines 30-34, wherein this reads over "a plurality of local video-propagation servers located in respective different localities for receiving via Internet the video feeds from the respective video cameras located on-site at locations in respective ones of the different localities"}; and

(c) broadcasting said live action event to a subscriber via said central control site through Internet {Column 3, Lines 34-38, wherein this reads over "a master authorization server connected to the Internet for receiving requests via Internet from requesting parties for access to any of the video feeds transmitted to any of the propagation servers"}.

As for claim 2, MURPHY discloses the process, as recited in claim 1, wherein said participant carries said video camera via a head set, wherein said video camera is mounted on said head set at a position as same as said eye level position of said participant {Column 3, Lines 47-50, wherein this reads over "the on-site video cameras

can capture video feeds of live events and transmit them to the video propagation servers for access by requesting parties as live video feed"}.

As for claim 3, MURPHY discloses the process, as recited in claim 1, wherein said central control site not only acts an information center for subscribers to research information of said live action event through Internet but also is a central managing center for managing operation of said live action events {Column 3, Lines 50-52, wherein this reads over "a live video feed transmitted to a video-propagation server can be stored or cached in a video data storage provided with the propagation server"}.

As for claim 4, MURPHY discloses the process, as recited in claim 2, wherein said central control site not only acts an information center for subscribers to research information of said live action event through Internet but also is a central managing center for managing operation of said live action events {Column 3, Lines 50-52, wherein this reads over "a live video feed transmitted to a video-propagation server can be stored or cached in a video data storage provided with the propagation server"}.

As for claim 5, MURPHY discloses the process, as recited in claim 1, further comprising an additional step of accepting at least a sponsor to support said live action event by placing advertisement on a monitor screen of said subscribers during broadcasting said live action events {Column 5, Lines 19-23, wherein this reads over "such a system can be used to automatically generate video Web page ads for a client company by offering a selection of ad display templates for used with their identification graphics and any requested video feed"}.

As for claim 6, MURPHY discloses the process, as recited in claim 2, further comprising an additional step of accepting at least a sponsor to support said live action event by placing advertisement on a monitor screen of said subscribers during broadcasting said live action events {Column 5, Lines 19-23, wherein this reads over "such a system can be used to automatically generate video Web page ads for a client company by offering a selection of ad display templates for used with their identification graphics and any requested video feed"}.

As for claim 7, MURPHY discloses the process, as recited in claim 4, further comprising an additional step of accepting at least a sponsor to support said live action event by placing advertisement on a monitor screen of said subscribers during broadcasting said live action events {Column 5, Lines 19-23, wherein this reads over "such a system can be used to automatically generate video Web page ads for a client company by offering a selection of ad display templates for used with their identification graphics and any requested video feed"}.

As for claim 8, MURPHY discloses the process, as recited in claim 1, wherein in said step (C) further comprises a step of providing an option menu comprising a data of past live action events, current live action events, and coming live action events for said subscriber to select {See Fig. 5, Element "Local POP Video List Server"}.

As for claim 9, MURPHY discloses the process, as recited in claim 2, wherein in said step (C) further comprises a step of providing an option menu comprising a data of past live action events, current live action events, and coming live action events for said subscriber to select {See Fig. 5, Element "Local POP Video List Server"}.

As for claim 10, MURPHY discloses the process, as recited in claim 4, wherein in said step (C) further comprises a step of providing an option menu comprising a data of past live action events, current live action events, and coming live action events for said subscriber to select {See Fig. 5, Element "Local POP Video List Server"}.

As for claim 11, MURPHY discloses the process, as recited in claim 7, wherein in said step (C) further comprises a step of providing an option menu comprising a data of past live action events, current live action events, and coming live action events for said subscriber to select {See Fig. 5, Element "Local POP Video List Server"}.

As for claim 12, MURPHY discloses the process, as recited in claim 8, wherein said option menu further comprises a musical arrangement having a plurality of music adapted for being selected by said subscriber to play during said live action event {See Fig. 5, Element "Master Video List Server"}.

As for claim 13, MURPHY discloses the process, as recited in claim 9, wherein said option menu further comprises a musical arrangement having a plurality of music adapted for being selected by said subscriber to play during said live action event {Column 11, Lines 9-11, wherein this reads over "the local network affiliate may contract with a local music club to sent a live video feed of a music performance at a certain date and time"}.

As for claim 14, MURPHY discloses the process, as recited in claim 10, wherein said option menu further comprises a musical arrangement having a plurality of music adapted for being selected by said subscriber to play during said live action event {Column 11, Lines 9-11, wherein this reads over "the local network affiliate may contract

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with a local music club to sent a live video feed of a music performance at a certain date and time"}.

As for claim 15, MURPHY discloses the process, as recited in claim 11, wherein said option menu further comprises a musical arrangement having a plurality of music adapted for being selected by said subscriber to play during said live action event {Column 11, Lines 9-11, wherein this reads over "the local network affiliate may contract with a local music club to sent a live video feed of a music performance at a certain date and time"}.

As for claim 16, MURPHY discloses the process, as recited in claim 2, wherein said participant is capable of interacting with said subscribers, via said head set, through a third person relaying messages during said live action event {See Fig. 4, Element 410}.

As for claim 17, MURPHY discloses the process, as recited in claim 4, wherein said participant is capable of interacting with said subscribers, via said head set, through a third person relaying messages during said live action event {See Fig. 4, Element 410}.

As for claim 18, MURPHY discloses the process, as recited in claim 7, wherein said participant is capable of interacting with said subscribers, via said head set, through a third person relaying messages during said live action event {See Fig. 4, Element 410}.

As for claim 19, MURPHY discloses the process, as recited in claim 11, wherein said participant is capable of interacting with said subscribers, via said head set,



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through a third person relaying message during said live action event {See Fig. 4, Element 410}.

As for claim 20, MURPHY discloses the process, as recited in claim 15, wherein said participant is capable of interacting with said subscribers, via said head set, through a third person relaying messages during said live action event {See Fig. 4, Element 410}.

As for claim 21, MURPHY discloses the process, as recited in claim 4, wherein said central control site provides at least a chat room for said subscribers involved in said live action event to communicate with each other throughout said live action event and thus to communicate with said central control site {Column 12, Lines 41-45, wherein this reads over "the listing of live video feeds obtained through remotely controllable cameras can be offered to the requesting party with the option of remote control to capture of a live video feed"}. It appears that this option also provides a chat room for subscribers.

As for claim 22, MURPHY discloses the process, as recited in claim 7, wherein said central control site provides at least a chat room for said subscribers involved in said live action event to communicate with each other throughout said live action event and thus to communicate with said central control site {Column 12, Lines 41-45, wherein this reads over "the listing of live video feeds obtained through remotely controllable cameras can be offered to the requesting party with the option of remote control to capture of a live video feed"}. It appears that this option also provides a chat room for subscribers.

As for claim 23, MURPHY discloses the process, as recited in claim 11, wherein said central control site provides at least a chat room for said subscribers involved in said live action event to communicate with each other throughout said live action event and thus to communicate with said central control site {Column 12, Lines 41-45, wherein this reads over “the listing of live video feeds obtained through remotely controllable cameras can be offered to the requesting party with the option of remote control to capture of a live video feed”}. It appears that this option also provides a chat room for subscribers.

As for claim 24, MURPHY discloses the process, as recited in claim 15, wherein said central control site provides at least a chat room for said subscribers involved in said live action event to communicate with each other throughout said live action event and thus to communicate with said central control site {Column 12, Lines 41-45, wherein this reads over “the listing of live video feeds obtained through remotely controllable cameras can be offered to the requesting party with the option of remote control to capture of a live video feed”}. It appears that this option also provides a chat room for subscribers.

As for claim 25, MURPHY discloses the process, as recited in claim 20, wherein said central control site provides at least a chat room for said subscribers involved in said live action event to communicate with each other throughout said live action event and thus to communicate with said central control site {Column 12, Lines 41-45, wherein this reads over “the listing of live video feeds obtained through remotely controllable cameras can be offered to the requesting party with the option of remote

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control to capture of a live video feed"). It appears that this option also provides a chat room for subscribers.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

I. U.S. Patent:

- 1) U.S. Patent Application Publication No. 2002/0156648 (YOSHIMINE ET AL.) is cited to teach content distribution reservation method, content distribution method, reservation management device, and program,
- 2) U.S. Patent No. 6,795,972 (ROVIRA) is cited to teach a method for a subscriber television system client device to provide a three-dimensional user interface comprising a virtual reality media space,
- 3) U.S. Patent No. 5,526,479 (BARSTOW ET AL.) is cited to teach a method and apparatus for broadcasting live events to another location and producing a computer simulation of the events at that location, and
- 4) U.S. Patent No. 5,598,208 (MCCLINTOCK) is cited to teach a video viewing and recording system.

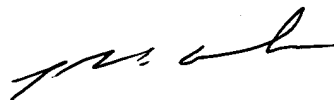
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (571) 272-6499. The examiner can normally be reached on 6:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT  
4/15/2005



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